

SALT LAKE HERALD.

SALT LAKE CITY, UTAH.
BY THE HERALD PUBLISHING CO.
BRIEF AND BREEZY.

Councilman Rich, who was injured in the collision between a street car and locomotive two weeks ago, was able to be out again yesterday.

The Rescue Mission provided 41 meals and lodgings to destitute men during the past week; an increase of 20 over the week previous.

There are messages at the Western Union telegraph office of the fact that E. J. Johnson, Alice A. Moore, C. D. Moore, and Clarence Gayley.

It has not yet been definitely determined which of the Democratic committees will manage the coming legislative election to fill the vacancy caused by the death of Clarence W. Hall.

John Bright, the noted Kansas Sunday school worker, will speak at the Burlington chapel, corner H and Third streets, today at 7:30 p. m. The general public is invited to attend.

P. W. Madison and son did some fall rabbit shooting at Cedar Fort, the other day, but the result of the sportsmen did not agree with the total slain, each claiming first honors.

The Scandinavian Democratic society will meet in Social hall on Monday evening at 7:30 o'clock for the purpose of electing officers for next year. A full attendance is especially requested.

The Church of Universal theology class, under the direction of Dr. J. E. Talmage, will meet for the relief of the poor, and at 12:30 p. m. today. All are invited to be present. Those attending will be provided with coffee and cake.

The regular monthly meeting of the Utah Democratic club will be held tomorrow evening. Matters of importance in connection with the coming special election will be discussed.

The committee appointed by the Democratic club, the Pioneer club, and the Scandinavian Democratic society to arrange for a celebration of Jackson day, have made good progress and will meet at the room of the day before next Monday at 3:30 p. m. tomorrow.

The Scandinavian ladies of this city are in full sympathy with the efforts now being made for the relief of the poor, and on Wednesday and Thursday evenings next will give a fair at the Fourteenth ward assembly room. There will be vocal and instrumental music each night and the proceeds of the entertainment will go for charitable objects.

L. S. Whitehead, of this city, the inventor of the air ship or locomotive, yesterday received a letter from the French government of France to enter his invention in a competitive exhibition of ships at Paris. He will be vocal and instrumental music each night and the proceeds of the entertainment will go for charitable objects.

James McCormick, who is employed as porter at Riley's saloon on Main street, had a bad fall last night. He was intoxicated, and fell from a roof some ten feet below. McCormick was picked up unconscious, and is not thought that his injuries are serious.

On Wednesday evening at the parlors of the Mendocino, a social programme will be given for charity. The programme will consist of readings from Dickens' "Christmas Carol" and other authors. Mr. Krouse will be the vocalist, and no admission will be charged and all are invited to be present. At the close of the entertainment a collection may be taken up.

County Clerk Meloy yesterday issued marriage licenses to Edward C. Miller, aged 24, of Salt Lake, and Mary L. VanArsdale, aged 22, of Richmond, and Christine Christensen, aged 21, of Salt Lake, and John H. O'Connell, aged 21, and Miss Augusta Hattman, aged 24, both of Salt Lake; Albert E. Hattman, aged 21, and Julia J. O'Connell, aged 21, both of Salt Lake.

The question of another election is before the citizens of Salt Lake. Candidates as well as the details of primary and caucus, and the details of primary and caucus, are expected that the committees having the matter in hand will make it a good one to accept nominations for all good citizens. The election will mean much to both parties.

At 8 a. m. yesterday the thermometer registered 43, at noon 46, and at 6 p. m. 45, the maximum temperature being 46, and the minimum 43. Fair weather, colder. The observer's comparative report for yesterday is: Fair, with a light breeze, and a few clouds. The temperature at 8 a. m. was 43, at 10 a. m. 44, at 12 m. 45, at 2 p. m. 46, at 4 p. m. 45, at 6 p. m. 44, at 8 p. m. 43, at 10 p. m. 42, at midnight 41.

Professor George H. Brimhall, of the B. A. academy at Salt Lake, will deliver a lecture on the use of the Y. M. C. A. in the fourteenth ward assembly hall tomorrow evening at 7:30 o'clock. The lecture will be on the subject of "The Y. M. C. A. and the Church of Jesus Christ of Latter-day Saints."

The Newberry union of Salt Lake city will meet at the B. A. academy at 7:30 o'clock, where they have engaged a competent lecturer. The lecture will be on the subject of "The Y. M. C. A. and the Church of Jesus Christ of Latter-day Saints."

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THE GROSBECK COMPANY.

Hearing on the Order to Show Cause Before Judge Zane.

THE FIRE CHIEF'S DIAMONDS

JUDGE ZANE MAKES AN ORDER IN REGARD TO THEM.

Mrs. Enquist's Novel Grounds for Seeking a Divorce—Justice Hall's Successor Will Be Appointed by the County Court Probably on Monday.

The hearing in the suit of the First National bank of Deadwood, S. D., vs. the Grosbeck company, on order to show cause why the company should not be restrained from disposing of its shares and from incurring other of its shares by giving them as security for a loan of \$200,000, came on before Chief Justice Zane yesterday morning, occupied the greater portion of the day and was continued until tomorrow morning. Attorneys W. C. Hall and E. B. Critchlow represented the plaintiff and Attorney Arthur Brown appeared for the defendants.

On motion the First National bank of Park City was made a party plaintiff to the suit.

The order to show cause was issued on a complaint filed on Nov. 24, details of which were published in The Herald at the time of filing the complaint. By the proceedings taken it is sought to have a decree of the court adjudging that the action of the board of directors of the Grosbeck company on August 23, 1893, in declaring a stock dividend, and all acts of its officers and agents, are null and void; that every defendant holding any shares of stock under the dividend be compelled to surrender the same, that they be cancelled, and in case any shares of stock so distributed should not be recovered, the value thereof be ascertained and the defendant directors compelled to respond in damages. It was also prayed that the defendants be restrained from encumbering the real property of the corporation by mortgage, deed of trust or otherwise, pending the hearing, and in accordance with the order of the court.

The statement by counsel for the plaintiffs was to the effect that between the 1st day of Dec., 1892, and the 1st day of Feb., 1893, they loaned to certain of the stockholders of the defendant company the sum of \$200,000, and that they hold as collateral security 1,250 of the 12,000 shares of the said company's capital stock, which the defendants represented as being worth \$25 per share. That since February 1893, by various wrongful and improper acts on the part of the directors and officers of the company, the capital has been wasted and impaired and converted to private use, and that the business of the company has been unprofitable to such an extent that the shares are not worth more than 45 cents each. It is further asserted that John A. Grosbeck, president of the company, was permitted by the directors to convert about January 1, 1893, to convert to his own use seventy shares of the capital stock of the Desert National bank of Salt Lake, to the value of \$18,750, such stock being a part of the assets of the Grosbeck company, whereas the directors knew that he was wholly incapable of doing so, and that on August 23, the board of directors of the company met and declared a dividend of 23.76 per cent. per share and that 230 shares of stock were wrongfully distributed to the stockholders of the dividend mentioned, when on the said date the company had no assets and was possessed of no property of any kind, and the stock of \$300,000, being compelled to borrow \$60,000, and that the so-called stock dividend was declared and paid on the basis of the value of the stock at the time it was declared, and that the officers and directors are now negotiating to obtain a loan in the sum of \$200,000, and that they are offering a mortgage or deed of trust on their real estate to secure the same, when in fact no necessity exists for borrowing over \$70,000. It is to prevent this that the proceedings are taken.

The defendants deny all the allegations and allege that they are abundant with assets and that the company is profitable, and that the action was brought by the instance of a minority of the stockholders, who wish to rise in spite of the majority. They also deny that they are negotiating for a loan of \$200,000, and have that any intention of so doing, and have that the plaintiffs have set up no legitimate cause for an action in equity.

The taking of testimony was concluded when the court rose and the arguments will be made tomorrow.

Short Orders.
F. W. Christensen vs. St. Mark's hospital et al.; demurrer of Burton Glee et al. withdrawn.

Jesse Maggenetti vs. Harvey Hardy et al.; decree of foreclosure for \$1,166 and \$50 attorney's fees.

W. S. McCormick, guardian, vs. A. M. James et al.; decree of foreclosure and sale with 10 per cent. attorney's fees.

David Maggenetti vs. Charles Leth et al.; demurrer overruled and ten days to answer.

Phelan & Hays vs. James W. Pitts et al.; all claims withdrawn, and twenty-one days to answer.

Ann Hudson vs. Andrew Ammedson et al.; demurrer overruled by consent and leave to amend complaint.

William Schaefer vs. McKnight et al.; motion for judgment withdrawn.

Mary Tyffe vs. Arthur Wilde et al.; judgment and foreclosure for \$2,166.10; attorney's fees \$20.

John J. Smith vs. Agnes L. Thompson et al.; default of defendants Vance and Lynch entered.

William Schaefer vs. McKnight et al.; order made appointing H. E. Booth guardian ad litem for minors.

C. N. Parsons, a petit juror, was excused.

MRS. ENQUIST'S DIVORCE SUIT.
Says Her Husband Is a Missionary and Unable to Support Her.

Hulda Enquist has entered suit for divorce in the Third district court against her husband August Enquist.

The complaint says that the parties were married in Sweden in 1888 after which they came to Utah. The grounds on which the divorce is sought is that the husband is a missionary of the Church of Jesus Christ of Latter Day Saints laboring in Sweden and has been unable to support her and that she has sent him about \$100 to keep him; hence she prays for a decree of divorce and that she be allowed to resume her maiden name of Hulda Lindstrom.

On a Promissory Note.
Margaret J. Taylor as guardian of Nephew, Mary, Abraham and Samuel Taylor minors has begun suit in the Third district court against John Beck, A. E. Hyde and M. E. Cummings to recover \$2,000 on a promissory note secured by 5,000 shares of the capital stock of the Northern Spy Mining company.

It is now claimed that the shares are practically worthless, and that in addition thereto, as further security Beck executed and delivered to the plaintiff a chattel mortgage, consisting of all the laundry plant and fixtures of the "French Steam and Hand Laundry" at the Eldorado Mining block on South West Temple street. The mortgage also assigned to the mort-

gage all debts due to him on account of the laundry plant, and plaintiffs say there is now due—owing from John Hyde—the sum of two hundred and sixty dollars together with interest at the rate of 1 per cent. per month from July 29, 1893. M. E. Cummings, the complaint states, claims a more interest in the property which is subsequent to the mortgage lien of the plaintiff. Cummings is now in possession of the property, whereas plaintiff demands that the defendants be foreclosed on their interest, lien and equity of redemption in the property, and that the same be sold and applied in payment of costs of this action. The note and mortgage, with interest thereon up to the time of payment at the rate of 1 per cent. per month.

Judgments Entered.
Judgments were yesterday entered in the Third district court as follows: Charles Robbstock vs. George W. Carter for the plaintiff for \$432.05.

W. G. Shannon vs. Anrell Bros., judgment for plaintiff for \$240.70.

Transcripts on Appeal.
Transcripts on appeal were yesterday filed in the supreme court in the following cases:

Laura G. Tufts vs. John Charles Tufts appellant, from the Third district court.

The People vs. Nellie Berlin, appellant; from the Fourth district court.

CHIEF STANTON'S DIAMONDS.
A Claim That They Should Be Applied on a Judgment.

In the suit of Domedlan & Heatley vs. W. A. Stanton, in which judgment was given for the plaintiffs for the sum of \$420 on June 2, 1891, and which has never satisfied, the plaintiffs made an affidavit to the effect that Stanton had certain personal property not exempt from execution, to wit: two valuable diamonds used exclusively for personal adornment.

Upon this showing Judge Zane ordered that Stanton appear before Commissioner Norrell on Dec. 13 to answer concerning this property, and in the meantime he is forbidden to transfer or otherwise dispose of any personal property now in his possession.

The Keeley Wins.
In the case of the Keeley Institute vs. A. L. Mair and J. G. Mair, Justice Lochrie gave judgment for the plaintiff for \$75 balance of a promissory note.

The note was given for the treatment and cure of A. L. Mair of the liquor habit and the defendants alleged that the patient was not cured at all, but two days after leaving the institution was again drunk. The plaintiffs alleged that Mair was a refractory patient and would not follow the instructions of the doctor in charge.

JUSTICE HALL'S SUCCESSOR.
Attorney Krebs Will Likely Be Appointed by the County Court.

There are quite a number of applicants for the position of justice of the peace made vacant by the death of Clarence W. Hall. According to the reports of the county court, the most likely candidate for the position is Attorney Krebs.

THE WRONG MAN.
So Ferguson Says About the Juror's Impression.

In the case of Tom Ferguson vs. George Nicholson, which was tried before Justice Baruch and a jury a few days ago, and a verdict rendered for the defendant, the plaintiff has now filed his motion for a new trial and urges among other reasons why a new trial should be granted, that some of the jurors declared when impaneled that they did not know Mr. Ferguson.

One of them, when they retired to consider the case, declared that he was a skinner; this is one of his schemes. Two of the jurors in the case have signed an affidavit stating that one of the jurors declared that he did not know Mr. Ferguson, who made that remark was under a wrong impression anyway, and that it was another man named Ferguson whom the juror mistook for the defendant, the plaintiff in the case. The amount involved is about \$1,200.

Marshall McGerry Not Removed.
The report coming from Beaver that Deputy Marshals James McGerry and Thomas Lowe had been removed is not correct. United States Marshal Brigham appointed Joseph L. Kuss and John Palmer as additional deputy marshals in the Beaver district, but has no thought of removing McGerry or Lowe.

Probate Court.
In the matter of the estate of Emily V. Nelen, deceased, hearing was had of final account and petition for distribution. The account was allowed and decree of distribution entered.

In the matter of the estate of Emma J. Whitehead, deceased, Thursday, Dec. 21, was set as the date for hearing on the petition for probate of will.

In the matter of the estate of John Henderson, deceased, Wednesday, the 23d of January, 1894, is set as the date for hearing on final account and petition for distribution.

In the matter of the estate of John L. Byrnes, deceased, his will was continued till Wednesday, Dec. 13.

In the matter of the estate of Marcus R. Wyker, deceased, hearing on petition for probate of will and the same was allowed. St. Louis Wyker was appointed administrator without bonds.

In the matter of the estate of Elizabeth Very, deceased, hearing on final account and petition for distribution allowed.

Mr. Thomas Nelson Explains.
Mr. Thomas Nelson of Ogden thinks that an injustice has been done him by the publication of the alleged attempt to obtain the release of A. H. Nelson from the penitentiary. He says he had nothing to do with the representations made at the marshal's office by the young man Faulkner and that the only connection he had with the affair was to send Faulkner a telegram, worded as follows: "Get permit from marshal and see Henry. No report yet."

He was not aware that Faulkner represented that he had orders to get Nelson released and wished to get him out of the country as quickly as possible before other charges could be preferred against him.

Cloth and trimmings by the yard. Buckle & Son, Tailors, 235 S. Main st.

Removal.
E. W. Tatlock has removed his law office from rooms 91, 92, Commercial building, to rooms 211, 212, Harmon building.

Whether you buy new, come and see the magnificent display of books and numerous novelties, suitable for holiday gifts, at the Utah Book and Stationery Co., 15 McCormick block, and toys at the branch store, 64 Main street.

SALT LAKE OPERATORS.
They are Meeting With Considerable Success in Idaho.

W. R. Byrne and L. Bouksky are in town from Nell district. They give a very encouraging report of that locality. The Homestake mine, one of the properties of the Eldorado Mining company, is looking better than ever before. The last clean-up in the best

LAST WEEK'S SHIPMENTS.

The Ore and Bullion Output In Full.

THE OPHIR HILL COMPANY

WORK AT THE COPPER PLANT BEING PUSHED.

The Great Corliss Engine Will Arrive This Week—At the Ontario—A Heavy Shipperment—Salt Lake Operators in Idaho—The Latest Mining News.

The past week has been very quiet in mining circles, although some very heavy shipments have been made of both ore and bullion. The receipt of \$11,000 gold brick from the Stewarts at Bingham stimulated business somewhat and started mining men to talking and the rush to the camp continues without abatement.

The assayers report a great falling off in the amount of ores received, this being especially the case with the receipts from Bingham. The Old Reliable has broken her record and is sending comparatively little ore or bullion to market.

Notes and mortgage, with interest thereon up to the time of payment at the rate of 1 per cent. per month.

WELLS, FARGO & CO.
Monday, Mingo bullion.....\$5,524
Tuesday, Mingo bullion.....2,425
Tuesday, gold bar.....11,000
Wednesday, Mingo bullion.....2,440
Thursday, Mingo bullion.....5,747
Friday, Mingo bullion.....4,124
Saturday, Mingo bullion.....3,313
Friday, other bullion.....6,890
Total.....\$75,506

MCCORMICK & CO.
Monday, Hanauer bullion.....\$3,500
Monday, silver and lead ores.....7,700
Tuesday, Hanauer bullion.....4,100
Tuesday, silver and lead ores.....4,350
Wednesday, Hanauer bullion.....2,800
Wednesday, silver and lead ores.....3,350
Thursday, silver and lead ores.....8,250
Friday, Hanauer bullion.....12,400
Friday, silver and lead ores.....3,400
Saturday, Hanauer bullion.....3,400
Total.....\$52,550

T. R. JONES & CO.
Monday, bullion.....\$7,700
Monday, silver and lead ores.....6,400
Tuesday, bullion.....8,200
Tuesday, silver and lead ores.....7,000
Wednesday, bullion.....7,400
Thursday, bullion.....3,900
Thursday, silver and lead ores.....3,400
Friday, bullion.....10,700
Saturday, bullion.....6,400
Saturday, silver and lead ores.....3,200
Total.....\$63,400

This makes a total for the week of \$195,256.

THE OPHIR HILL.
Secretary Lynn's Report For the Past Year.

Secretary and Treasurer Lynn, of the Ophir Hill Mining company, has just completed his report for the eleven months ending Nov. 30, which makes a very flattering showing for the properties owned by that company. During the eleven months the concentrator at Ophir has turned out 5,501 tons of concentrates, which average \$12.96 per ton. This will make the total output of the company from that source \$71,251.11.

The ore mined in the properties of the Ophir Hill are silver and lead, and a trace of copper. The silver brought is now running but two or three days a week and but little ore is being taken from the mines. It was expected the property would go into winter quarters two weeks ago, but as the weather has continued open it was thought advisable to retain part of the force, for awhile, at least.

AT THE COPPER PLANT.
The Great Corliss Engine Expected Here This Week.

Word was received yesterday at the office of the copper plant company that the great Corliss engine which is to furnish power for the plant had been shipped on Friday and would probably reach here this week. The other machinery is expected daily, and upon its arrival the force of workmen at the plant will be increased and the work pushed with all the speed possible.

The plant is situated on the east side of the copper mine, and is a fine structure. It is expected that the company will be refining copper at the rate of 150 tons per day by the 1st of March.

During the past week great progress has been made upon the smockstack, which is rapidly rising to the square. On Monday or Tuesday President Green will go out to the work and make a general inspection. It was his intention to have gone out before, but as Mrs. Green leaves for the east today he has postponed the visit until the day named.

THE ONTARIO.
A Shipment of 26,704 Fine Ounces Made Yesterday.

Reports received from the Ontario yesterday by President Chambers are to the effect that the mines and mill are in much the same condition as usual.

The Ontario is being prosecuted with vigor and good headway has been made during the week. Yesterday the company shipped 46 bars of silver, aggregating in weight 26,704 fine ounces. The bullion goes to the Aurora S. & R. works near Chicago for refining.

WHITE HORSE DISTRICT.
A Fine Prospect Developing in the Jim Blaine Mine.

W. H. A. Pike informed a Reno (Nev.) Journal representative that the Jim Blaine mine in White Horse district, near Wadsworth, is developing into a fine property.

The mine is now about seventy feet, and is all the way down the ledge, which varies from two to twelve feet wide. Some of the ore has assayed as high as \$2,000 per ton, while the average value of the ore extracted is estimated to be not far from \$80 per ton. The mine is owned by a Sacramento company. They are taking out the ore and piling it up, as they have no way yet to ship it to the reduction works.

The Blaine mine is the claim of the Washoe Mining company, of which Mr. Pike is president. This company believes that they have a considerable body of ore, and have a fine prospect.

The general formation of the White Horse ledge is porphyry, and the country rock is slate. The ore extracted is free gold, carrying but little silver.

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the Eldora people have ever had, though it was a short run, as the machinery was stopped a portion of the time while repairs were being made on the boiler. The ore is richer than any the company has heretofore found. The Belle Hill, a property which belongs to L. J. Anderson and Mr. Hill of Mountain Home, is producing free milling ore of a high grade. The Hidden Treasure also looks well. O. Stevens has a very promising property on Bender creek. It shows well on the surface. He is building a house and getting ready to develop his property. Ainslie's mill is running on custom. This is a promising field for prospectors. There is a mineral belt running through from Nell district to Dixie creek, a distance of twenty miles. The extent of this country has not been prospected before. Perhaps it is owing to its proximity to Boise. If it were in some distant, inaccessible locality, it would be crowded with fortune seekers. It is of easy access and can be reached at all seasons of the year. J. L. Davis is working on an improved rock crusher, which he has patented. He will apply for a patent on his invention.—Boise Sentinel.

THE NEW GOLD CAMP.
What the Wasatch Wave Says of Mercur.

The new mining excitement near old Camp Floyd is attracting considerable attention, says the Wasatch Wave. Salt Lake and Colorado mining men have visited the ground and are investing in the undeveloped property. If the Utah miners are not enterprising and up to the times they are nothing. When silver became so low that it did not pay for winning they found extensive gold fields and are preparing to go right on with the work of developing the earth for hidden treasures, just as though nothing had happened.

The new mineral grounds where gold has been found covers a strip of territory twelve miles long by four wide. The ore ranges from \$2 to \$4 a ton. Though it is of low grade the miners have hope that it will become richer as deep as is reached. The city of water is the greatest drawback to the camp at present. Mercur is the name of the new town. It contains about twenty-five houses, a number of tents. There are two stores, two saloons and a meat market in the town